UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,766	10/09/2001	Nick Steele	17331-0008	8246

20786	7590	02/04/2005

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EXAMINER
CANGIALOSI, SALVATORE A

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
	Office Action Summary	09/974,766	STEELE ET AL.
		Examiner	Art Unit
		Salvatore Cangialosi	3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 February 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-55</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-55</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>02/24/2003</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

1.   The following is a quotation of 35 U.S.C. § 103 which forms

the basis for all obviousness rejections set forth in this Office

action:
> A patent may not be obtained though the invention is not
> identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that
> the subject matter as a whole would have been obvious at the
> time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which
> the invention was made.
>
> Subject matter developed by another person, which qualifies
> as prior art only under subsection (f) or (g) of section 102
> of this title, shall not preclude patentability under this
> section where the subject matter and the claimed invention
> were, at the time the invention was made, owned by the same
> person or subject to an obligation of assignment to the same
> person.

2.   Claims 1-55 are rejected under 35 U.S.C. § 103 as being

unpatentable Wu et al (5774551) in view of Fortenberry et

al(6005939(cited by applicants)) alone or further in view of Chen

et al(6154768).

        Regarding claim 1, Wu et al (See Figs. 3-6, Col.3,

line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and

22) disclose method for authenticating a user employing a single

sign on for a session including automatically managing other

authentications on remote computers substantially as claimed. The

differences between the above and the claimed invention is the

use of specific account access over the Internet.   It is noted

that remote computer access is the functional equivalent of an

offer. Otherwise resort can be had to Fig. 2a, 4 and 5 of

Fortenberry et al, which show a single passport that enables
authentication over the Internet. Chen et al (See Fig. 7, Col.
5, lines 60-65) show an automatic sign on for a server process.
It would have been obvious to the person having ordinary skill in
this art to provide a similar arrangement for Wu et al because
the authentication elements are conventional functional
equivalents. Regarding the medium limitations of claim 2, the use
of the account management element 123 of Wu et al is a functional
equivalent of the claimed limitations. Regarding automatic by
pass limitations of claim 3, Chen et al (See Fig. 7, Col. 5,
lines 60-65) show an automatic sign on for a server process which
is a functional equivalent of the claimed limitations. Regarding
the medium limitations of claim 4, the use of the account
management element 123 of Wu et al is a functional equivalent of
the claimed limitations. Regarding the validity of claim 5, Wu et
al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11,
lines 1-45, claims 13 and 22) disclose method for authenticating
a user employing a single sign on for a session including
automatically managing other authentications on remote computers
which is a functional equivalent of the claimed limitations.
Regarding expiration limitations of claim 6, the use of time (See
Col. 13, lines 55-65) of Wu et al is a functional equivalent of
the claimed limitations. Regarding time limitations of claim 7,
the use of time (See Col. 13, lines 550-65) of Wu et al is a
functional equivalent of the claimed limitations. Regarding

browser limitations of claim 8, the use of client browser(Col. 9,

lines 30-40) of Fortenberry et al is a functional equivalent of

the claimed limitations because internet access normally includes

browser. Regarding single limitations of claim 9, Wu et al (See

Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines

1-45, claims 13 and 22) disclose method for authenticating a user

employing a single sign on for a session including automatically

managing other authentications on remote computers which is a

functional equivalent of the claimed limitations because

certificates normally include identification. Regarding database

limitations of claim 10, the use of a database (See Col. 18,

lines 5-10) of Wu et al is a functional equivalent of the claimed

limitations because digital databases are normally employed in

the storage of data. Regarding browser limitations of claim 11,

the use of client browser(Col. 9, lines 30-40) of Fortenberry et

al is a functional equivalent of the claimed limitations because

internet access normally includes browser. Regarding

configuration limitations of claim 12, Wu et al (See Figs. 3-6,

Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims

13 and 22) disclose a method for authenticating a user employing

a single sign on for a session including automatically managing

other authentications on remote computers which is a functional

equivalent of the claimed limitations. Regarding the script

limitations of claim 13, Wu et al (See Figs. 3-6, Col.3, line 68,

Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22)

disclose method for authenticating a user employing a single sign

on for a session including automatically managing other

authentications on remote computers which is a functional

equivalent of the claimed limitations. Regarding the medium

limitations of claim 14, the use of the account management

element 123 of Wu et al is a functional equivalent of the claimed

limitations. Regarding format limitations of claim 15, Wu et al

(See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11,

lines 1-45, claims 13 and 22) disclose a method for

authenticating a user employing a single sign on for a session

including automatically managing other authentications on remote

computers which is a functional equivalent of the claimed

limitations. Regarding network limitations of claim 16, the use

of the account management element 123 of Wu et al is a functional

equivalent of the claimed limitations. Regarding network

limitations of claim 17, the use of the account management

element 123 including a decision table of Wu et al is a

functional equivalent of the claimed limitations. Regarding the

medium limitations of claim 18, the use of the account management

element 123 of Wu et al is a functional equivalent of the claimed

limitations. Regarding table limitations of claim 19, the use of

a database (See Col. 18, lines 5-10) of Wu et al is a functional

equivalent of the claimed limitations because digital databases

are a form of tables. Regarding the medium limitations of claim

20, the use of the account management element 123 of Wu et al is

a functional equivalent of the claimed limitations. Regarding the
automatic limitations of claim 21, the use of the automatic
account management element 123 of Wu et al is a functional
equivalent of the claimed limitations. Regarding claim 22, Wu et
al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11,
lines 1-45, claims 13 and 22) disclose method for authenticating
a user employing a single sign on for a session including
automatically managing other authentications on remote computers
substantially as claimed. The differences between the above and
the claimed invention is the use of specific account access over
the Internet.   It is noted that remote computer access is the
functional equivalent of an offer. Otherwise resort can be had to
Fig. 2a, 4 and 5 of Fortenberry et al, which show a single
passport that enables authentication over the Internet. Chen et
al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on
for a server process. It would have been obvious to the person
having ordinary skill in this art to provide a similar
arrangement for Wu et al because the authentication elements are
conventional functional equivalents. Regarding the medium
limitations of claim 23, the use of the account management
element 123 of Wu et al is a functional equivalent of the claimed
limitations. Regarding browser limitations of claim 24, the use
of client browser(Col. 9, lines 30-40) of Fortenberry et al is a
functional equivalent of the claimed limitations because internet
access normally includes browser. Regarding the host limitations

of claim 25, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10,

lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose

method for authenticating a user employing a single sign on for a

session including automatically managing other authentications on

remote computers which is a functional equivalent of the claimed

limitations. Regarding the medium limitations of claim 26, the

use of the account management element 123 of Wu et al is a

functional equivalent of the claimed limitations. Regarding the

automatic limitations of claim 27, Wu et al (See Figs. 3-6,

Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims

13 and 22) disclose method for authenticating a user employing a

single sign on for a session including automatically managing

other authentications on remote computers which is a functional

equivalent of the claimed limitations. Regarding the medium

limitations of claim 28, the use of the account management

element 123 of Wu et al is a functional equivalent of the claimed

limitations. Regarding the automatic limitations of claims 29-

30, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-

65, Col. 11, lines 1-45, claims 13 and 22) disclose method for

authenticating a user employing a single sign on for a session

including automatically managing other authentications on remote

computers which is a functional equivalent of the claimed

limitations. Regarding time limitations of claims 31-34, the use

of time (See Col. 13, lines 55-65) of Wu et al is a functional

equivalent of the claimed limitations. Regarding claim 35, Wu et

al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11,

lines 1-45, claims 13 and 22) disclose a means for authenticating

a user employing a single sign on for a session including

automatically managing other authentications on remote computers

substantially as claimed. The differences between the above and

the claimed invention is the use of specific account access over

the Internet.   It is noted that remote computer access is the

functional equivalent of an offer. Otherwise resort can be had to

Fig. 2a, 4 and 5 of Fortenberry et al, which show a single

passport that enables authentication over the Internet. Chen et

al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on

for a server process. It would have been obvious to the person

having ordinary skill in this art to provide a similar

arrangement for Wu et al because the authentication elements are

conventional functional equivalents. Regarding automatic by pass

limitations of claim 36, Chen et al (See Fig. 7, Col. 5, lines

60-65) show an automatic sign on for a server process which is a

functional equivalent of the claimed limitations. Regarding event

limitations of claims 37-40, the use of time (See Col. 13, lines

55-65) of Wu et al is a functional equivalent of the claimed

limitations. Regarding browser limitations of claim 41, the use

of client browser(Col. 9, lines 30-40) of Fortenberry et al is a

functional equivalent of the claimed limitations because internet

access normally includes browser. Regarding browser limitations

of claim 42, the use of client browser(Col. 9, lines 30-40) of

Fortenberry et al is a functional equivalent of the claimed
limitations because internet access normally includes browser.
Regarding format limitations of claim 43, Wu et al (See Figs. 3-
6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45,
claims 13 and 22) disclose a means for authenticating a user
employing a single sign on for a session including automatically
managing other authentications on remote computers which is a
functional equivalent of the claimed limitations. Regarding
network limitations of claim 44, the use of the account
management element 123 of Wu et al is a functional equivalent of
the claimed limitations. Regarding network limitations of claim
45, the use of the account management element 123 including a
decision table of Wu et al is a functional equivalent of the
claimed limitations. Regarding table limitations of claim 46, the
use of a database (See Col. 18, lines 5-10) of Wu et al is a
functional equivalent of the claimed limitations because digital
databases are a form of tables. Regarding claim 47, Wu et al
(See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11,
lines 1-45, claims 13 and 22) disclose means for authenticating a
user employing a single sign on for a session including
automatically managing other authentications on remote computers
substantially as claimed. The differences between the above and
the claimed invention is the use of specific account access over
the Internet.   It is noted that remote computer access is the
functional equivalent of an offer. Otherwise resort can be had to

Fig. 2a, 4 and 5 of Fortenberry et al, which show a single

passport that enables authentication over the Internet. Chen et

al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on

for a server process. It would have been obvious to the person

having ordinary skill in this art to provide a similar

arrangement for Wu et al because the authentication elements are

conventional functional equivalents. Regarding event or time

limitations of claims 48-50, the use of time (See Col. 13, lines

55-65) of Wu et al is a functional equivalent of the claimed

limitations. Regarding browser limitations of claim 51, the use

of client browser(Col. 9, lines 30-40) of Fortenberry et al is a

functional equivalent of the claimed limitations because internet

access normally includes browser. Regarding signal limitations

of claim 52, the use of the account management element 123 of Wu

et al is a functional equivalent of the claimed limitations.

Regarding signal limitations of claim 53, the use of the account

management element 123 including a decision table of Wu et al is

a functional equivalent of the claimed limitations. Regarding the

selection limitations of claim 54, Wu et al (See Figs. 3-6,

Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims

13 and 22) disclose signals for authenticating a user employing a

single sign on for a session including automatically managing

other authentications on remote computers which is a functional

equivalent of the claimed limitations. Regarding format

limitations of claim 55, Wu et al (See Figs. 3-6, Col.3, line 68,

Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22)

disclose a signal for authenticating a user employing a single

sign on for a session including automatically managing other

authentications on remote computers which is a functional

equivalent of the claimed limitations.

3.   Claims 1-55 are rejected under 35 U.S.C. ¸ 112., second   ·

paragraph, as being indefinite for failing to particularly point

out and distinctly claim the subject matter which applicant

regards as the invention.

Certain claims (1, 22, 35, and 47) contain the terms "can

be...In or for" which are not positive limitations. (See In re

Collier, 158 USPQ 266)   It is not clear what is being claimed.

The claims require only a possibility rather than an actual

limitation. For example, anything is possible given sufficient

time and resources. Claim 47 is alternative and thus indefinite.

In addition claims 47-55 require a signal claim which does not

appear to be proper absent some clarification which would clearly

define the structures of the signal which would link same to the

claims. Applicant is also requested to show how this transitory

emanation is within the four statutory classes absent a

predefined medium.

Any inquiry concerning this communication should be directed

to Salvatore Cangialosi at telephone number (703) 305-1837. If

attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, James Trammell·, can be reached at (703)

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305-9768.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks

Washington, D.C. 20231

or faxed to (703)872-9306

Hand delivered responses should be brought to Crystal Park

V, 2451 Crystal Drive, Arlington, Virginia, Seventh

Floor(Receptionist).

Any inquiry of a general nature or relating to the status of

this application or proceeding should be directed to the

Technology Center 3600 Customer Service Office whose telephone

number is (703) **308-4177**.

SALVATORE CANGIALOSI.
PRIMARY EXAMINER
ART UNIT 222